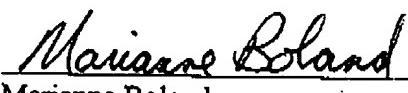


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UNDER 37 CFR §1.8**

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Date: 06-02-06  
Marianne Boland

In Re Application of:

Sherwood

Confirmation No.: 8201

Serial No.: 09/921,659

Group Art Unit: 2154

Filed: August 6, 2001

Examiner: Patel, A.

Docket No.: 190252-1660

For: System and Method for Selective Application of E-Mail Delivery Options

Issue Fee Transmittal  
Fee Transmittal  
Credit Card Payment Form in the amount of \$1,400  
Comments of Reasons for Allowance

Total Pages Transmitted (including cover sheet) - 6

Customer Number - 38823

## PART B - FEE(S) TRANSMITTAL

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CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)		Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.	
38823	790	03/05/2006	Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/ BELLSOUTH I.P. CORP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339		Marianne Boland <i>Marianne Boland</i> 06-02-06	(Depositor's name) (Signature) (Date)
09/921,659	08/06/2001	Amy L. Sherwood	BS01-001 8201

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,659	08/06/2001	Amy L. Sherwood	BS01-001	8201

TITLE OF INVENTION: SYSTEM AND METHOD FOR SELECTIVE APPLICATION OF EMAIL DELIVERY OPTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	08/07/2006
	EXAMINER	ART UNIT	CLASS-SUBCLASS		
PATER, ASHOKKUMAR B		2154	709-206000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122 attached).  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev. 3-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
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I, Thomas, Kayden,  
Horstemeyer &  
Risley, LLP

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

## (A) NAME OF ASSIGNEE

BellSouth Intellectual  
Property Corporation

## (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Wilmington, DE

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

## 4a. The following fee(s) are enclosed:

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 Publication Fee (No small entity discount permitted)  
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 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 20-0778 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  
 b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date 6-7-06

Typed or printed name

Jeffrey R. Kuester

Registration No. 34,367

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Effective on 12/08/2004

Fees Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
For FY 2006 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$1,400.00)****Complete if Known**

Application Number	09/921,659
Filing Date	August 6, 2001
First Named Inventor	Sherwood
Examiner Name	Patel, A.
Art Unit	2154
Attorney Docket No.	190252-1660

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify):
<input type="checkbox"/> Deposit Account	Deposit Account Number: 20-0778 Deposit Account Name: Thomas, Kayden, Horstemeyer Risley, L.L.P. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)			
<input type="checkbox"/>	charge fee(s) indicated below			
<input checked="" type="checkbox"/>	charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17			
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<input checked="" type="checkbox"/>	Credit any overpayments			

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**FEES CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	Filing Fees		Search Fees		Examination Fees		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

**2. EXCESSIVE CLAIM FEES**Fee DescriptionEach claim over 20 or, for Reissues, each claim over 20 and more than in the original patent  
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent  
Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity Fee (\$)	Fee (\$)	Fee Paid (\$)
-20 or HP =		0	0	50	25	
HP = highest number of total claims paid for, if greater than 20				200	100	
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180	

HP = highest number of total claims paid for, if greater than 20

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number) x	Fee (\$)	Fee Paid (\$)
-100 =		0 x	0	0

**4. OTHER FEES**

Non-English Specification, \$130 fee (no small entity discount)	Fee Paid (\$)
Other: Issue Fee	0 \$1,400.00

**SUBMITTED BY**

Typed or Printed Name	Jeffrey R. Knester	Registration No. 34,367	Telephone Number	770-933-9500
Signature			Date	6-7-06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments and suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUN 02 2006

**PATENTS****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Sherwood Confirmation No.: 8201  
Serial No.: 09/921,659 Group Art Unit: 2154  
Filed: August 6, 2001 Examiner: Patel, A.  
Docket No.: 190252-1660

For: System and Method for Selective Application of E-Mail Delivery Options

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir

The Examiner has made statements in the Statement of Reasons for Allowance that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to ensure proper interpretation of the claims and history.

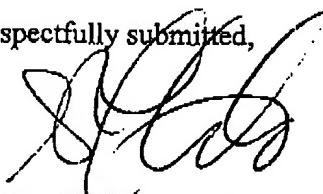
While Applicant agrees with the Examiner that the stated reasons for allowance of the claims are indeed valid grounds for allowance, Applicant wishes to clarify for the record that the stated reasons may be viewed as an oversimplification of the issues. Along these lines, first, Applicant does *not* admit that the stated reasons for allowance are the only reasons for allowance, and Applicant contends that the allowance and scope of these claims are in fact *not* limited to the Examiner's stated reasons for allowance. Second, each allowed claim has a different combination of elements, which distinguish each claim from the references of record, and consequently, each claim should be analyzed separately for infringement and validity. 35 U.S.C.

Serial No.: 09/921,659  
Art Unit: 8201

288. In other words, all of the claims do not stand or fall together, especially and particularly based upon the stated reasons for allowance.

If the Examiner disagrees with any of Applicant's comments herein, Applicant respectfully requests that the Examiner further clarify the record. Otherwise, it should be assumed that the above discussion is an accurate characterization of the file history and interpretation of the claims.

Respectfully submitted,



Jeffrey R. Kuester Reg. No. 34,367  
Attorney for Applicant

Date: 6-2-06

Customer No.: 38823

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